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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------------|------------------------|
| 10/642,510 | 08/18/2003 | Koichi Otsuki | Q76995 | 1667 |
| 23373 7590 03/19/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037 | | | EXAMINER BRINICH, STEPHEN M | |
| | | | ART UNIT 2625 | PAPER NUMBER |
| | | | MAIL DATE 03/19/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/642,510

Applicant(s)

OTSUKI, KOICHI

Examiner

STEPHEN M. BRINICH

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4-12 and 14-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10642510 | 8/18/03 | OTSUKI, KOICHI | Q76995 |

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EXAMINER

STEPHEN M. BRINICH

| ART UNIT | PAPER |
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2625

20080311

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Stephen M Brinich
Primary Examiner
Art Unit: 2625

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 4-12, & 14-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Nunokawa et al (US 7008125 cited as English translation of WO02/053389, published 7/11/2002).

Re claims 1, 7, & 10, Nunokawa et al discloses (column 1, line 58 - column 2, line 16; Figures 5-6) a recording medium (a canister of roll paper and an associated memory) and an control method and means (using a control circuit 50, readable upon the recited "computer") using a correction amount (the remaining amount of the recording medium) which is stored into (Figure 6, step S190) and read out from (Figure 6, steps S180, S196) the memory. Specifically, Nunokawa et al discloses (column 10, line 63 - column 11, line 15) that the carry feed amount by which the paper is driven is corrected based on correction amount (the remaining amount of the recording medium).

Re claims 1 & 8-12, Nunokawa et al further discloses (column 16, lines 16-25) that the above described correction amount is set in a step-by-step fashion (in measured increments, changing by one step at each detection wire). Each correction amount thus corresponds to a range of remaining amount of

recording medium (the range from one detection wire to the next detection wire).

Re claims 1 & 6-12, Nunokawa et al further discloses (column 7, lines 30-33) that the printer is an inkjet printer that ejects ink that lands on the recording medium to form an image.

Re claims 4 & 8, Nunokawa et al further discloses (column 4, lines 46-60) reading and writing of the information describing the remaining amount of recording medium to and from the memory.

Re claims 5 & 8, Nunokawa et al further discloses (column 4, lines 61-66) noncontact reading and writing of the memory.

Re claim 11, Nunokawa et al further discloses (column 7, lines 42-43) a display 112.

Re claim 14, Nunokawa et al further discloses (column 2, lines 19-20) that the recording medium feed amount is regulated in accordance with the type of recording medium.

Re claims 15-16, the printing of paper from a roll inherently changes the remaining amount of paper in a step-by-step manner (decrementing the remaining amount by one unit per unit of paper printed) throughout a period during which a printing process is performed.

Response to Arguments

3. Applicant's arguments (2/14/08 Remarks: page 7, lines 3-19) have been fully considered but they are not persuasive.

Re claim 1, Applicant argues (2/14/08 Remarks: page 7, lines 3-15) that Nunokawa et al fails to disclose all the features recited in claim 1. Specifically, Applicant argues that Nunokawa et al fails to teach or suggest the setting of a target carry amount in a step-by-step fashion in accordance with a remaining amount of recording medium as recited in newly amended claim 1.

However, as noted above, Nunokawa et al discloses (column 16, lines 16-25) the setting of the correction amount in a step-by-step fashion corresponding to a range of remaining amount of recording medium as recited in claim 1.

Re claims 8-12, Applicant argues (2/14/08 Remarks: page 7, lines 16-18) that these claims recite features similar to those of claim 1, and are allowable for the same reasons.

Applicant's argument re claim 1 has been addressed above.

Re claims 4-7, Applicant argues (2/14/08 Remarks: page 7, lines 18-19) that these claims are allowable at least by virtue of their dependency (from claim 1).

Applicant's argument re claim 1 has been addressed above.

Conclusion

4. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Art Unit: 2625

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/Stephen M Brinich/

Examiner, Art Unit 2625